REMARKS

Applicant thanks the Examiner for total consideration given the present application. Claims 1-26 are currently pending of which claims 1, 10, 16, and 22 are independent. Applicant respectfully requests reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seeks timely allowance of all pending claims.

INTERVIEW SUMMARY

Applicant thanks the Examiner for granting a personal interview with the Applicant's representative on May 30, 2007. During the interview, the Examiner agreed that the claimed invention distinguishes over the prior art of record. Particularly, it was agreed that none of the prior art of record, alone or in combination, teaches or suggests a device or method for implementing a power management algorithm based on a connection configuration identified in a wireless transmission from a remote device as recited in independent claims 1, 10, 16, and 22.

ALLOWABLE SUBJECT MATTER

Applicant appreciates that claims 3, 12, 18, and 24-26 are indicated to define allowable subject matter. Further, it is noted that claim 4 depends from claim 3, claim 13 depends from claim 12 and claim 19 depends from claim 18. Thus, it is respectfully submitted that claims 4, 13, and 19 should have also been identified to define allowable subject matter by virtue of their dependency on indicted allowable claims.

35 U.S.C. § 103 REJECTION – Hulvey, Tzannes

The Examiner rejects claims 1-26 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hulvey (U.S. 2003/0197488)[hereinafter "Hulvey"] in view of Tzannes (U.S. 6,667,991)[hereinafter "Tzannes"]. Initially, it is presumed that the Examiner intended to reject claims 1, 2, 5-11, 14-17, and 20-23 since the Examiner indicated that claims 3, 12, 18, and 24-26 define allowable subject matter. *See page 10, lines 1-3 of the Office Action.* Further, as demonstrated above, claims 4, 13, and 19 should not have been rejected since these claims

depend from allowable claims 3, 12 and 18, respectively. Applicant respectfully traverses the rejection of claims 1, 2, 5-11, 14-17, and 20-23 for the reasons set forth below.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See *M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, it is respectfully submitted that neither Hulvey nor Tzannes teach or suggest all claim limitations. For example, independent claim 1 recites, *inter alia*, "a memory . . . including *a plurality of power management algorithms*; and a controller . . . configured execute the instructions so as to . . . *detect* the presence, in a wireless transmission from a remote device, of *one or more parameters identifying one of the plurality of configurations*, and *implement, based on the configuration identified, one of the plurality of power management algorithms.*" *Emphasis added.* During the telephone interview on May 30, 2007, it was agreed that neither Hulvey nor Tzannes teach or suggest at least the above-identified claim feature.

As acknowledged by the Examiner, Hulvey fails to teach the above-identified claim feature. *See page 3, paragraph 1 of the Office Action.* Thus, the Examiner imports Tzannes to fulfill the deficiencies of Hulvey. It is respectfully submitted that Tzannes also fails to teach the above-identified claim feature as recited in independent claim 1. Particularly, neither the cited portions, nor any other portions of Tzannes teach or suggest a controller that is configured to implement, based on a connection configuration identified in a wireless transmission from a remote device, one of the plurality of power management algorithms.

Tzannes merely discloses a Discrete Multitone Modulation (DMT) system and method with the capability to adapt the system bit rate on-line in a seamless manner. Particularly, Tzannes is directed to a framing and encoding method with reduced overhead compared to conventional DMT systems such that the DMT system and method provide seamless rate

adaptation with the provision of different power levels. *See abstract.* The Examiner relies on col. 11, line 46 – col. 12, line 64 as disclosing the above-identified claim feature. Applicant respectfully submits that the Examiner's interpretation of the relied upon section of Tzannes is erroneous. The cited portion of Tzannes merely discloses a Normal Seamless Rate Adaptation (NSRA) protocol that can be initiated by either a transmitter or a receiver. During the personal interview on May 30, 2007, it was demonstrated that the cited portions of Tzannes do not teach "a memory . . . including *a plurality of power management algorithms*; and a controller . . . configured execute the instructions so as to . . . *detect* the presence, in a wireless transmission from a remote device, of *one or more parameters identifying one of the plurality of configurations*, and *implement, based on the configuration identified, one of the plurality of power management algorithms*". Particularly, the Examiner agreed that neither the cited portions, nor any other portions of Tzannes teach or suggest a controller that is configured to implement, based on a connection configuration identified in a wireless transmission from a remote device, one of the plurality of power management algorithms.

For at least the reasons set forth above, claim 1 is allowable. Claims 2-9 depend from claim 1 and are allowable for the same reasons as claim 1 and because of additional features recited therein. For example, claim 2 recites that the controller is configured to detect the presence of one or more parameters by determining if a wireless connection with the remote device has at least one parameter corresponding to an acceptably fast re-connection procedure. Because it depends from claim 1, claim 2 thus recites that the controller is configured to implement a power management algorithm based on the presence or absence of such an acceptably fast re-connection parameter. Hulvey paragraph [0070], upon which the Office Action relies, says nothing about a determination that might relate to an acceptably fast re-connection procedure. Tzannes has not been, and indeed cannot be, relied upon to correct at least this deficiency of Hulvey.

Independent claim 10 also stands rejected under 35 U.S.C. §103 based on Hulvey in view of Tzannes. Claim 10 recites, *inter alia*, "a method for *automatically selecting a power management algorithm* in a battery-powered wireless device capable of creating wireless

connections with a remote device in any of a *plurality of connection configurations*, comprising: . . . *implementing a first power management algorithm* if the remote device supports a first communication feature; and *implementing a second power management algorithm* if the remote device does not support the first feature." *Emphasis added.* As set forth above in great detail and further in view of the Interview Summary of May 30, 2007, it is respectfully submitted that neither Hulvey nor Tzannes teach or suggest the above-identified claim feature. Accordingly, claim 10 is also allowable. Claims 11-15 depend from claim 10 and are allowable for the same reasons as claim 10 and because of additional features recited therein. For example, claim 11 (based on its dependency from claim 10) recites implementing a first power management algorithm if the remote device supports a first communication feature, and implementing a second power management algorithm if the remote device does not support the first feature, wherein the first communication feature comprises support for an acceptably fast reconnection procedure. For reasons similar to those discussed above in connection with claim 2, this feature is not taught or suggested by Hulvey or Tzannes (alone or in combination).

Independent claim 16 recites a machine-readable medium having stored thereon data representing sequences of instructions which, when executed by a processor, cause the processor to perform steps of a method similar to that of claim 10. Accordingly, claim 16 is allowable for the same reasons as claim 10. Claims 17-21 depend from claim 16 and are allowable for the same reasons as claim 16 and because of additional features recited therein. Claim 17 recites features similar to that of claim 11, and is therefore allowable for the additional reasons set forth above.

Independent claim 22 recites a computer input device having a controller configured to perform steps similar to those set forth in claim 10, and is thus allowable for the same reasons as claim 10. Claim 23 depends from claim 22 and is allowable for at least the same reason as claim 22.
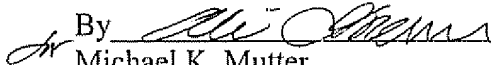
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Conclusion

In view of the above remarks, it is believed that all pending claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 2, 2007

Respectfully submitted,

By _____ # 58,755
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